



King County

Department of Development and Environmental Services
Land Use Services Division
900 Oakesdale Avenue Southwest
Renton, Washington 98055-1219
206-296-6600 TTY 206-296-7217

**Special Use Permit Applications:
Instructions & Information**

Alternative formats available
upon request

General Information

The following is a summary of the Special Use Permit (SUP) application process and a description of the application submittal requirements. The information required for a SUP application is necessary in order to evaluate the merits of a proposal with applicable county and state regulations and to assess the potential environmental impacts. The environmental checklist will be the basis for determining if an Environmental Impact Statement (EIS) will be required prior to any approval of a proposed SUP application.

An application will be evaluated on the basis of the information provided by the applicant, the King County Comprehensive Plan, pertinent provisions of the King County Code, site inspection, testimony and evidence presented at the public hearing, and comments submitted by interested parties and public agencies. If the subject property is located within an identified landslide, erosion, steep slope, seismic, avalanche or coal mine hazard or wetland or stream area, the applicant may be required to submit a special study produced by a qualified professional to address the identified sensitive areas features on the subject property.

Copies of the King County Codes and Comprehensive Plan are available for inspection at the DDES Permit Center and at the Main Branch of the Seattle Public Library. King County codes and other development regulations are also available on the Internet via the King County Web site at <http://www.metrokc.gov/>.

Questions related to Special Use Permits may be answered by calling or contacting:

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Land Use Services Division
900 Oakesdale Avenue Southwest
Renton, WA 98055-1219
Telephone: 206-296-6600 TTY: 206-296-7217

Pre-Application Conference

A pre-application conference with Land Use Services Division (LUSD) staff is required prior to filing a SUP application. Pre-application request forms and instructions for filing a pre-application conference request are available at the DDES Permit Center. A filing fee is required at the time a request is made, the amount to be determined at the time of filing and based on the latest adopted fee ordinance. LUSD staff will schedule the pre-application conference within thirty (30) days from the date of the request.

Filing and Application

A SUP application must be filed in person at the DDES Permit Center. An appointment with a Zoning Technician is required to file the application. Please call 206-296-6797 to schedule an appointment. The minimum submittal requirements necessary to file the application are described below. LUSD staff has twenty-eight (28) days from the date of filing to determine whether or not the application is complete. An application that fails to meet the submittal requirements described herein will be deemed incomplete.

Check out the DDES Web site at www.metrokc.gov/ddes

Notice of Application

Fourteen (14) days after LUSD staff determines that the application is complete, a public notice is issued as follows:

1. LUSD sends out a notice of your application to property owners within a 500-foot radius of the subject property.

If the area is rural or lightly populated, the notice must be mailed to at least 20 different property owners; or, in other appropriate causes, the division may determine it is necessary to notify additional property owners.

2. A notice of the application will be published by LUSD in the official county newspaper and another newspaper of general circulation.
3. The applicant is required to install a notice board, which must be placed in a conspicuous place on the property throughout the permit process so that it is visible to people passing by the property. Additional notice boards may be required as determined by LUSD.

The cost of the board is the applicant's responsibility. LUSD will send the applicant written instructions regarding the specific requirements for the notice board.

4. Notice of the application is also provided to anyone who writes to the Division requesting the SUP request.

Compliance with the State Environmental Policy Act (SEPA)

Most SUP proposals are subject to the procedural and substantive requirements of SEPA (See WAC 197-11 and K.C.C. 20.44). Prior to the public hearing on the SUP, DDES will issue its SEPA threshold determination, which is appealable to the Hearing Examiner. If the DDES determination of non-significance (DNS) or mitigated determination of non-significance (MDNS) is appealed, the SEPA appeal hearing is combined (i.e., heard at the same time) with the SUP hearing.

Criteria for SUP Approval

K.C.C. 21A.44.050 Special Use Permit. A Special Use Permit shall be granted by the county only if the applicant demonstrates that:

- A. The characteristics of the special use will not be unreasonably incompatible with the types of uses permitted in surrounding areas;
- B. The special use will not materially endanger the health, safety and welfare of the community;
- C. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
- D. The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts;
- E. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the appropriate development or use of neighboring properties; and
- F. The special use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this title.

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Public Hearing

A public hearing will be held by the King County Hearing Examiner at which all evidence supporting or opposing the proposal will be heard. LUSD will issue a written report and recommendation 14 days prior to the scheduled hearing date. As mentioned above, if a SEPA appeal is filed, the SEPA appeal hearing will be heard at the same time as the SUP hearing. If other applications, such as a Rezone and/or Shoreline Substantial Development Permit, is required in conjunction with the SUP, they may be scheduled for the same hearing. The Hearing Examiner will render a written recommendation to the King County Council for final action. This recommendation is appealable to the King County Council.

Appeal

Affected parties may appeal the Hearing Examiner's recommendation on the SUP to the King County Council. The Examiner's report will include information on the method of appeal available and the time limit within which an appeal must be filed.

Final Approval

SUP approval or denial is final once the King County Council takes action in the form of passing an ordinance and the process for ordinance adoption is completed. An appeal of the Council's decision may be filed with the King County Superior Court.

Submittal Requirements for Filing a SUP Application

Unless otherwise noted, the following listed items are required to be submitted at the time of application.

1. Application for Land Use Permit: Submit one (1) original and two (2) copies.
2. Legal Description: Submit one (1) copy.

On a piece of white, legal-size, 8-1/2" X 14" paper, type the legal description of your property and attach it to the application. The legal description of your property may be obtained from the King County Department of Assessments. **Be absolutely sure the description is correct and agrees with the property outlined on the Assessor's map.** A current legal description is necessary before the application is acceptable. If the legal description is written from a survey map, the map should accompany the description along with the Assessor's map outlined in red.

3. Assessor's Maps: Submit one(1) set.

Submit up-to-date prints of the Assessor's 1/4 section maps covering the area within the application and all property within 500 feet of the boundaries of it. Outline subject property in red pencil and give a parcel number to each ownership. Prints of these must be ordered from the King County Department of Assessments, Room 700A, King County Administration Building 500 – 4th Avenue, Seattle, 206-296-7300. (Full sheet Assessor maps are required as part of the submittal package. Do not cut, tape, or alter the maps.)

4. Application for SUP: Submit 15 copies.

Check out the DDES Web site at www.metrokc.gov/ddes

5. **SUP Development Plans:** Submit 15 copies on uniform-sized sheets. Plans must be folded to fit in a legal-sized folder (8-1/2" X 14").

Provide on cover sheet

- A 6" X 6" blank space in the lower right hand corner for DDES identification stamps
- Name, address, day telephone number of owner
- Name, address, day telephone number of registered engineer, land surveyor, architect, or planner
- Existing zone classification
- Acreage within property boundaries
- Proposed method of sewage disposal and sewer district
- Source of water; if water district, include name
- Fire district
- School district
- Legal description (type or print)
- A written statement of the general purposes of the project
- An explanation of all features pertaining to uses and other pertinent matters not readily identifiable in map form
- Vicinity maps: Show sufficient area and detail to clearly locate the project in relation to surrounding roads, parks, rivers, and municipal boundaries, together with its scale.
- For communication facilities: name, address, and day telephone number of operators

Site plans – drawn to a convenient engineer scale:

- Map scale and north arrow
- Property boundaries dimensioned and clearly and accurately delineated by a heavy line or color
- Boundary lines and zoning classification of adjacent tracts within 500 feet of the subject property
- Locate, name, and dimension all existing and proposed streets and other public ways, easements, utility and railroad rights-of-way within and adjacent to the proposed development.
- Existing and proposed topography on separate drawings showing at least 5-foot contours to be extended at least 100 feet beyond project boundaries
- Location of any major physical features such as railroads, lakes and rivers, including those with 500 feet of the subject property
- Locate all sensitive areas and associated buffers on plans. A sensitive area includes erosion hazards, landslide hazards, steep slope hazards, avalanche, floodplain, wetland, and/or stream. Indicate if streams are intermittent: 100-year floodplain for rivers, 25-year floodplain for streams, and delineate top and toe of 40% slopes. See K.C.C. 21A.24 for Sensitive Area Standards and Development Limitations.

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- Accurate dimensions, location, and use of all existing and proposed structures on the subject property indicating porches, eaves, fences and signs. Identify any structures to remain or to be removed. Identify existing wells and/or septic tank and drainfields.
 - General size, location and uses of all existing structures within 100 feet of boundaries of the subject property
 - Show elevations and/or sections of all existing and proposed buildings depicting general character of the structures, relationship between floors, entrances, building height and grades.
 - Illustration of building types or building complexes (may be schematic plan view) showing relationships between parking, entrances, walks, indoor areas and outdoor uses (structural floor and building plans are not required)
 - A minimum of one cross-section in each direction showing the relationship of the proposed structures to both existing and final grade
 - If any new streets are proposed (public or private), show street construction section or reference to suitable King County Department of Transportation standards (reference King County Road Standards).
 - Location, dimensions, and design of off-street parking facilities showing points of ingress and egress (See K.C.C. 21A.18 and King County Road Standards.)
 - Boundaries of proposed common open space land, if any; indicate proposed use
 - Proposed public dedications, e.g. school sites, parks, etc., if any, within the site
 - Preliminary landscape plan showing existing vegetation to be retained and proposed landscaping identifying height and type of landscaping to be provided at time of planting. This plan can include narrative, if necessary. (See K.C.C. 21A.16 for applicable standards for the proposed use.)
 - Easements, deed restrictions or other encumbrances restricting the use of the property.
6. Reduced Site Plan: Submit one (1) copy of a reduced site plan on an 8-1/2" X 11" sheet.
7. Water Availability Certificate: Submit three (3) copies.

Preliminary approval for the creation of a new water system in accordance with the provisions of the applicable Coordinated Water System Plan or for connection with a private well from the Seattle-King County Department of Public Health; or

The Certificate of Water Availability form for the site must be given to the appropriate existing water purveyor to complete (water district, city, water association) and then returned with this application. At the top of the form, a space is provided for a description of the site. In this space, the legal description of the site should be inserted or attached on a separate sheet if it is too lengthy.

Note: For sites located in the Urban Growth Area, if the development is not proposing to be served by an existing or new Group A water system at the time of construction, a Certificate of Future Connection must be given to the appropriate Group A water purveyor to complete and then returned with this form.

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8. Sewer Availability Certificate: Submit three (3) copies.

Preliminary approval for individual or community on-site sewage disposal systems from the Seattle-King County Department of Public Health must be submitted with this application; **or**

The Certificate Sewer Availability form for the site must be given to the appropriate agency to complete (sewer district) and then returned with this application. At the top of the form, a space is provided for a description of the site. In this space, the legal description of the site should be inserted or attached on a separate sheet if it is too lengthy.

9. Certificate of Future Water/Sewer Connection (if applicable): Submit three (3) copies.

If the site is located in the Urban Growth Areas and an interim on-site sewage system is proposed consistent with K.C.C. 13.24.136, the following information is also required:

- A. The sewer availability form must be submitted to the most logical sewer purveyor to complete and returned with this application along with a letter which demonstrates to the satisfaction of the Director of the Department of Development and Environmental Services that the requirement to receive sewer service from the purveyor is unreasonable or unfeasible at the time of construction; and
- B. A Certificate of Future Connection must be given to the appropriate agency to complete and then returned with this application.

10. Environmental Checklist: (only if required by K.C.C. 20.44) Submit 15 copies.

Please refer to instructions on the Environmental Checklist form. The applicant will be contacted by LUSD if additional information or clarity is required. Failure to respond may cause postponement of consideration of the request. If another agency is the SEPA lead agency for this project, submit both 15 copies of the Environmental Checklist and Threshold Determination. If an EIS has been prepared for this proposal, submit three (3) copies with the application.

11. Level-One Drainage Analysis: (required only if the thresholds for drainage review per the King County Surface Water Design Manual are met) Submit four (4) copies.

12. Conceptual Drainage Plan: (required only if the thresholds for drainage review per the King County Surface Water Design Manual are met) Submit four (4) copies.

13. Fire District Receipt: Obtain from the fire district. Submit one (1) copy.

14. Proof of "Legal" Lot Status: documentation of the date and method of segregation of the subject property. Submit one (1) copy.

15. Certificate/Affidavit of Sensitive Areas Compliance: Submit one (1) copy.

16. Transportation Certificate of Concurrency: (if required by K.C.C. 14.70) Submit one (1) copy.

17. Applicant Status Form: Submit one (1) copy.

18. Copies of variance decisions required per King County Code 21A

19. List of other issued or pending permits or decisions related to this proposal

Check out the DDES Web site at www.metrokc.gov/ddes

20. Permit Review Fees
21. Pre-application Credit Form or Pre-application Meeting Waiver Form: Submit one (1) copy.
22. Additional Documents Required for Communication Facilities Only: Submit four (4) copies of each.
 - A. Attachment A for Communication facilities filing requirements
 - B. Interference and Noise Report
 - C. NIER Report
23. Other Documents: (Optional at the time of application submittal – LUSD may request or require submittal after application has been filed):
 - A. Special studies or reports (e.g., traffic studies, wetland reports, geotechnical evaluation). Submit four (4) copies.
 - B. Photographs, charts, petitions, letters, models, etc., may be submitted at the discretion of the applicant. Submittals should fit within an 8-1/2" X 14" legal-sized file folder.